



## City of Marietta Meeting Summary

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

### CITY COUNCIL

*William B. Dunaway, Mayor*  
*Annette Paige Lewis, Ward 1*  
*Griffin "Grif" L. Chalfant, Jr., Ward 2*  
*Holly Marie Walquist, Ward 3*  
*Irvan A. "Van" Pearlberg, Ward 4*  
*Rev. Anthony C. Coleman, Ward 5*  
*James W. King, Ward 6*  
*Philip M. Goldstein, Ward 7*

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**Wednesday, January 14, 2009**

**7:00 PM**

**Council Chamber**

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20090063      **Swearing in of new police officers**

Swearing in of new police officers for the Marietta Police Department:

Michael Braxton

Brian Vaughn

Ralph Woolfolk

Darrius Felder

Ryan Hoffman

William Garnigan

***Oath Administered***

20090024      **2007-08 Weed and Seed Report**

Presentation by Weed and Seed Coordinator, Daneea Badio for the Franklin Road Weed and Seed Program 2007-08.

***Presented***

20090068      **City of Marietta's 175th Anniversary Celebration**

Proclamation to the citizens of Marietta in honor of the City's 175th Anniversary.

***Read***

20090002      **Regular Meeting - December 10, 2008**

Review and approval of the December 10, 2008 regular meeting minutes.

***Approved***

20090037      **Mayor Pro tem**

Appointment of James W. King as the Mayor Pro tem for a term of one year expiring on January 8, 2010.

***Approved***

*Motion to approve with the term expiring on January 4, 2010.*

20090038      **Presiding Officer**

Appointment of Irvan Alan (Van) Pearlberg as the Presiding Officer for a term of one year expiring on January 8, 2010.

***Approved***

*Motion to approve with the term expiring on January 4, 2010.*

20090039

**BLW Council Representative**

Reappointment of James W. King as the council representative on the Board of Lights and Water (BLW) for a term of one year expiring on January 8, 2010.

***Approved***

*Motion to approve with the term expiring on January 4, 2010.*

20090040

**Economic/Community Development Committee**

Appointment of Griffin Lee Chalfant, Jr., as the chairperson, Holly M. Walquist and Philip M. Goldstein, to the Economic/Community Development Committee for a term of one year expiring on January 8, 2010.

***Approved***

*Motion to approve with the terms expiring on January 4, 2010.*

20090041

**Finance/Investments Committee**

Appointment of Annette Paige Lewis, as the chairperson, James W. King and Anthony C. Coleman to the Finance/Investments Committee for a term of one year expiring on January 8, 2010.

***Approved***

*Motion to approve with the terms expiring on January 4, 2010.*

20090042

**Judicial/Legislative Committee**

Appointment of Philip M. Goldstein, as the chairperson, Irvan Alan Pearlberg and James W. King to the Judicial/Legislative Committee for a term of one year expiring on January 8, 2010.

***Approved***

*Motion to approve with the terms expiring on January 4, 2010.*

20090043

**Parks, Recreation & Tourism Committee**

Appointment of Holly M. Walquist, as the chairperson, Anthony C. Coleman and Annette Paige Lewis to the Parks, Recreation and Tourism Committee for a term of one year expiring on January 8, 2010.

***Approved***

*Motion to approve with the terms expiring on January 4, 2010.*

20090044

**Personnel/Insurance Committee**

Appointment of Irvan Alan Pearlberg, as the chairperson, Griffin Lee Chalfant, Jr., and Annette Paige Lewis to the Personnel/Insurance Committee for a term of one year expiring on January 8, 2010.

***Approved***

*Motion to approve with the terms expiring on January 4, 2010.*

**20090045      Public Safety Committee**

Appointment of Anthony C. Coleman, as the chairperson, Irvan Alan Pearlberg and Holly M. Walquist to the Public Safety Committee for a term of one year expiring on January 8, 2010.

***Approved***

*Motion to approve with the terms expiring on January 4, 2010.*

**20090046      Public Works Committee**

Appointment of James W. King, as the chairperson, Griffin Lee Chalfant, Jr., and Philip M. Goldstein to the Public Works Committee for a term of one year expiring on January 9, 2009.

***Approved***

*Motion to approve with the terms expiring on January 4, 2010.*

**20090047      Marietta Housing Authority Council Liaison**

Appointment of Anthony C. Coleman as the council liaison to the Marietta Housing Authority for a term of one year expiring on January 8, 2010.

***Approved***

*Motion to approve with the term expiring on January 4, 2010.*

**20090048      Marietta Board of Education Council Liaison**

Appointment of Annette Paige Lewis as the council liaison to the Marietta Board of Education for a one-year term expiring on January 8, 2010.

***Approved***

*Motion to approve with the term expiring on January 4, 2010.*

**20081416      Americans with Disabilities Advisory (ADA) Board**

Appointment of Jason Bourne to the Americans with Disabilities Advisory (ADA) Board (Post 6) for a term of 3-years beginning January 1, 2009 and expiring December 31, 2011.

***Approved*****20090049      Planning Commission Appointment**

Appointment to the Marietta Planning Commission (Ward 7) for a term of three years expiring on January 14, 2012.

***Removed*****20090005      Cobb Housing, Inc.**

Appointment of Holly Marie Walquist to to the Cobb Housing, Inc. (CHI) Board of Directors for a one year term expiring on January 13, 2010.

***Approved***

*Motion to approve with the term expiring on January 4, 2010.*

**20081302      Z2008-15 RG Investments, LLC, 611 Tower Road**

Z2008-15 [REZONING] RG INVESTMENTS, LLC request rezoning for property located in Land Lot 10760, 16th District, Parcel 1230, 2nd Section, Marietta, Cobb County, Georgia and being known as 611 Tower Road from R-3 (Single Family Residential 3 units/acre) to OI (Office Institutional). Ward 4.

***Approved as Stipulated***

*Motion to approve the request rezoning for property located in Land Lot 10760, 16th District, Parcel 1230, 2nd Section, Marietta, Cobb County, Georgia and being known as 611 Tower Road from R-3 (Single Family Residential 3 units/acre) to OI (Office Institutional), with the following stipulations:*

1) *Letter of Stipulations from J. Kevin Moore to Russell J. Roth, AICP, dated December 1, 2008.*

*a) Item 4 of the Letter of Stipulations dated December 1, 2008 shall be amended to read, "Applicant agrees to provide a permanent and perpetual inter parcel access to adjoining property now or formerly owned by Back to the Bible Church, Inc., which shall be filed with the deed record at the Superior Court prior the Land Disturbance Permit being issued.*

2) *Letter of Stipulation from J. Kevin Moore to Russell J. Roth, AICP, dated January 13,*

20081317

**Z2008-16 Back to the Bible 601, 413, 421 and 417 Tower Road**

Z2008-16 [SLUP] BACK TO THE BIBLE request Special Land Use Permit (for place of worship with accessory school) for property located in Land Lot 1076, 16th District, Parcels 0720, 0700, 1170 and 0710, 2nd Section, Marietta, Cobb County, Georgia and being known as 601, 413, 421 and 417 Tower Road and being zoned R-3. Ward 4.

***Approved as Amended***

*Motion to deny the request Special Land Use Permit (for place of worship with accessory school) for property located in Land Lot 1076, 16th District, Parcels 0720, 0700, 1170 and 0710, 2nd Section, Marietta, Cobb County, Georgia and being known as 601, 413, 421 and 417 Tower Road and being zoned R-3; however, the following variances and stipulations were granted:*

1) *Variance to reduce the required 75 foot setback to 48 feet along the front property line. [Sec. 708.03(E)(1.b)]*

2) *Variance to allow more than 12 parking spaces in a row without a planter island. [Sec. 712.08(G)(1)]*

3) *Variance to exempt the 10 foot planted border area along Tower Road from the required tree plantings listed in TABLE G. [Sec. 712.08(G)(2)]*

4) *Variance to reduce the required number of parking spaces to 147. [Sec. 716.07 (J)]*

5) *Variance to allow a chain link fence to front a public/private street. [Sec. 710.04 (A)(1)]*

6) *Variance to allow existing steeple to remain at present 87 foot height.*

7) *Variance to allow the children's play area in existing grass area between the existing church building and Tower road, with a fence along Tower Road, specific to the approximate location shown on the plan submitted.*

8) *Variance to allow the 60'x90' basketball court in existing grass area adjoining rear parking lot, with a fence between these areas and creek, specific to the approximate location shown on the plan submitted.*

9) Stipulation that the neither the applicant nor owner shall develop, or seek to develop, the area of the property south of the creek for a period of at least 5 years, and in no event without a "site plan specific" amendment to any land use permit which might be granted.  
10) Stipulation that the subject property shall provide a police officer to direct traffic for Friday services between 1:00 p.m. and 3:00 p.m., subject to the approval of the Marietta Police Department and Public Works Department.

20081360

**Code Enforcement - 180 Powers Ferry Road**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 180 Powers Ferry Road.

Listed Owner: Bradford Frank

1st Certified mail receipt received 10/27/08.

2nd Certified mail receipt; Mr. Bradford, owner, refused to sign 11/24/08.

3rd Certified mail receipt received 01/05/09.

Taxes paid: Yes

**PUBLIC HEARING REQUIRED**

***Approved as Stipulated***

*Motion to approve an ordinance authorizing staff to remove overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property at 180 Powers Ferry Road fifteen (15) days after approval of this ordinance.*

20090007

**Code Enforcement - 430 Wellons Drive**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 420 Wellons Street.

Listed Owner: Milton A. Hutchins & Henry Hutchins & Thomas L. Stone, Sr.

Certified mail receipt received 12/18/08; signature not legible.

Taxes: Unpaid, in the amount of \$67.36

**PUBLIC HEARING REQUIRED**

Philip M. Goldstein abstainig

***Approved***

20081289

**Section 8 Administrative Plan**

Resolution approving the Housing Choice Voucher (HCV) Administrative Plan revisions.

***Approved***

20081498

**MRC Development Agreement**

Motion approving revisions to the Development and Management Agreement between the City of Marietta and the Marietta Redevelopment Corporation.

***Approved***

**20081377      FY2009 Fund Work Plan**

Motion to approve the Marietta Redevelopment Corporation FY2009 Work Plan for the Marietta Fund for Neighborhood and Community Revitalization.

***Approved as Amended***

*Motion to approve the Marietta Redevelopment Corporation FY 2009 - 2010 Work Plan for the Marietta Fund for Neighborhood and Community Revitalization.*

**20081504      Marietta Fire Donation**

Ordinance to receive and appropriate a \$2000 donation from Wal-Mart for fire prevention programs

***Approved*****20081538      Contribution from Marietta X-Ray**

Ordinance to receive and appropriate a \$17,087 contribution from Marietta X-Ray for the Tree Replacement Fund

***Approved*****20081382      November 3, 2009 General Election**

Ordinance to provide for the establishment of qualifying fees for the office of Mayor and the office of Council for the city of Marietta, Georgia and to provide for the opening and closing dates for filing notice of candidacy by candidates.

***Approved*****20081545      Quitclaim Deed**

Motion to approve a Quitclaim Deed from City of Marietta to First Landmark Bank for property located at 321 Cole Street, a rectangle piece of land approximately 3200 square foot in size, which was inadvertently omitted from the legal description at the closing to First Landmark Bank. The documents are subject to the final approval of the city manager and the city attorney.

***Approved*****20081532      2009 Street Closure Requests**

Motion to approve street closures for 2009 special events; and, city sanctioning of the 97.1 Wing and Rock event in accordance with City Code 10-4-070.

***Approved*****20081544      Request for crosswalk**

Motion to approve request by Zion Baptist Church for a standard size crosswalk to be added on Lemon Street to the east side of Waddell Street.

***Approved***

**20090070 Pension Board Contracts**

Approval of Pension Board Contracts, subject to the final approval of the City Manager and City Attorney.

*Approved*

**20090006 Cobb Municipal Association 2009 Delegates**

Motion to appoint Council member Philip M. Goldstein and Council member Grif Chalfant as 2009 voting delegates for the Cobb Municipal Association (CMA) business meetings.

*Discussed*

**20090076 1017 Roswell Street and 9 South Cobb Drive**

Motion to authorize the acquisition of property owned by Raymond O. Boyd on behalf of the City of Marietta by means of eminent domain. A description of the interest to be acquired is attached hereto and incorporated herein by reference, including the legal description of the property and a survey of such property. The city attorney is hereby authorized and directed to take any and all action necessary to acquire such property by virtue of eminent domain, including the right to file any appeals in such case. The Order Authorizing Condemnation attached is incorporated herein by reference.

*Approved*

**20090030 BLW Actions of January 12, 2009**

Review and approval of the January 12, 2009 actions and minutes of the Marietta Board of Lights and Water Works. (BLW)

*Approved as Amended*

*Motion to approve the January 12, 2009 actions and minutes of the Marietta Board of Lights and Water Works (BLW), with the exception of agenda item 20090035.*